

March 17, 2020

VIA ECF

The Hon. Mary Kay Vyskocil
United States District Court
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

USDC SDNY
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Re: *Don Newton v. Jen N.Y., Inc. et al., Case No. 1:19-cv-07986-CM*

Dear Judge Vyskocil:

We represent Defendants Jen N.Y., Inc. d/b/a Fare Buzz ("Fare Buzz" or the "Company"), Fareportal, Inc. ("Fareportal"), and Arnold Walter (collectively, "Defendants"). We write to request a brief adjournment of the parties' initial conference before the Court because the parties will not have completed their mandatory mediation session before the initial conference date.

On November 4, 2019, this matter was automatically referred to mediation pursuant to the Court's Second Amended Standing Administrative Order. By Order dated December 19, 2019, Chief Judge McMahon scheduled an initial conference in this matter for January 17, 2020 at 11:00 a.m. On January 15, 2020, Chief Judge McMahon granted the parties' letter motion to adjourn the initial conference pending mediation and set a new conference date for February 21, 2020 at 10:00 a.m. The parties' mediation session was initially scheduled for January 15, 2020, and was then rescheduled for February 12, 2020. This matter was reassigned to Your Honor on February 5, 2020. By Scheduling Order dated February 10, 2020, Your Honor adjourned the initial conference for February 21, 2020 to March 24, 2020 at 11:30 a.m. At the February 12, 2020 mediation session, the parties agreed to schedule a second mediation session for March 18, 2020. Due to the current and developing events related to the COVID-19 outbreak, however, the parties agreed to adjourn the March 18, 2020 mediation session and are working with their clients and the mediator to reschedule that session, on a remote basis if necessary.

In light of the foregoing, Defendants respectfully request that the Court adjourn the March 24, 2020 initial conference pending the outcome of the parties' mediation. Defendants have made one previous request for adjournments in this matter, no other dates will be affected by this request, and Plaintiff consents to this request. The parties will provide a report to the Court within five (5) days after all mediation efforts have concluded informing the Court that the mediation was successful or, alternatively, requesting that the Court reschedule an initial conference on another date that is convenient for the Court.

Thank you for the Court's attention to this matter.

Respectfully submitted,

/s/ Jonathan Stoler

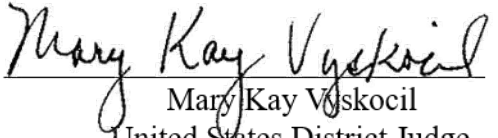
Jonathan Stoler
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

SMRH:4828-9064-0823.1

cc: All Counsel of Record

Granted. SO ORDERED.

Date: 3/18/2020
New York, New York


Mary Kay Vyskocil
United States District Judge